



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

408,014-CON

Anticipated Classification  
of this Application:  
Class: 435 Subclass: 252.31  
Prior Application:  
Examiner: Diana Johannsen  
Art Unit: 1634

Asst. Commissioner for Patents  
Washington, D.C. 20231

SIR:-

This is a request for filing a

[ x] Continuation

application under 37 CFR 1.53

[ ] Divisional

of pending prior Application Serial No. 09/242,588

Filed on: May 20, 1999 Of: Juana Magdalena et al

For: FRAGMENTS OF NUCLEIC ACIDS SPECIFIC TO MYCOBACTERIA WHICH ARE MEMBERS OF THE M. TUBERCULOSIS COMPLEX AND THEIR APPLICATIONS FOR THE DETECTION AND THE DIFFERENTIAL DIAGNOSIS OF MEMBERS OF THE M. TUBERCULOSIS COMPLEX

1. [X] Enclosed is a copy of the prior application, including the oath or declaration as originally filed and an affidavit or declaration verifying it as a true copy. (See 8 and 8a for drawing requirements).

2. [ ] Prepare a copy of the prior application.

3. [X] The Filing fee is calculated below:

CLAIMS AS FILED IN THE PRIOR APPLICATION,  
LESS ANY CLAIMS CANCELLED BY AMENDMENT BELOW

<u>For</u>	<u>Number Filed</u>	<u>Number Filed</u> Excess of 20	<u>Rate</u>	<u>Basic Fee</u> <u>\$740.00</u>
Total Claims	<u>28</u>	<u>8</u>	X \$18.00 =	<u>\$144.00</u>
Independent Claims	<u>5</u>	Excess of 3 <u>2</u>	X \$84.00 =	<u>\$168.00</u>
Multiple dependent claims		[ ] Yes \$280.00	[ ] No	<u>\$1052.00</u>

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P.M. 307  
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e-mail: bmlpat@Compuserve.com

May 13, 2002

#9 Reg for refund  
of 01-01



Comm. of Patents  
and Trademarks  
Washington, D.C. 20231

OFFICE OF FINANCE  
REFUND BRANCH  
US PATENT & TRADEMARK  
OFFICE  
109 JUN - 6 PM 2:22

Re: Deposit Account No. 02-2275

Sir:

The undersigned acknowledges receipt of the March 29, 2002 statement for the above account. It should be noted that the Patent Office failed to credit the account for \$5,000.00 submitted on March 25, 2002. Therefore, it is requested that the account be credited for the \$5,000.00 payment a copy of which is enclosed herewith for the Patent Office's convenience and the removal of the \$25.00 services charge therefrom since the deposit account was not overdrawn.

Also in the statement on March 6, 2002 under Control Nos. 2, 6, 11 and 18, under fee code No. 118, there was a charge of \$785.00 in each of design applications Serial Nos. 29/143,297; 29/142,299; 29/143,300 and 29/143,298. This was an incorrect charge since Applicants submitted with each order PTO Form-2038 in the amount of \$785.00 for the completion of the application and the \$720.00

extension fee. A copy of the various forms are enclosed herewith for the Patent Office's convenience. Therefore, the account should be credited.

On March 8, 2002 under Control No. 122 and No. 124, there was a charge under fee code 102 and 103 for U.S. patent application Serial No. 10/086,206 for two additional claims in excess of 20 and one independent claim. This was an improper charge since with the filing of the application, there were 28 claims with an excess of 8 and \$144.00 was submitted for the same and there were 2 excess independent claims for which \$168.00 was submitted as can be seen from the copy of the first page of the transmittal letter and PTO Form-2038 submitted herewith and the total of \$1,052.00 was paid as can be seen the copy of the aforesaid form submitted herewith. Therefore, the correct fee was submitted and it is requested that the account be credited for \$108.00 for the excess charges.

With best wishes, we are,

Yours very truly,  
Bierman, Muserlian and Lucas

Charles A. Muserlian  
Charles A. Muserlian

CAM:ds  
Enclosures

**Deposit Account Statement****Deposit Account**

ID: 302227

Current Balance

1,986.00

Status

Month

March 2002

Holder: BIERMAN MUSEUM &amp; LUCAS

Date Posted	Seq. No.	Description	Docket No.	Fee	Amount	Balance
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03-04-2002	15	531543		569	25.00	1.00
03-05-2002	72	E-REPLENISHMENT		701	-3,500.00	3,501.00
03-06-2002	63	10084814		101	84.00	3,417.00
03-06-2002	2	29143297	HAN-10	118	785.00	2,632.00
03-06-2002	6	29143299	HAN-12	118	785.00	1,847.00
03-06-2002	11	29143300	HAN-13	118	785.00	1,062.00
03-06-2002	18	29143298	HAN-11	118	785.00	277.00
03-08-2002	122	10086206	408.014-CON	102	24.00	253.00
03-08-2002	124	10086206	408.014-CON	103	144.00	109.00
03-12-2002	128	10070397	188.503	960	40.00	69.00
03-21-2002	585	10088159	361.034	960	40.00	29.00

Opening Balance	Closing Balance
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26.00	24.00
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